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In re U.S. Patent of: Steve Grove et al. )  
Application No. 10/648,125 )  
Filed: August 25, 2003 )  
**U.S. Publication No. 2004/0128320** )  
Published: July 1, 2004 )  
For: METHOD AND SYSTEM TO )  
GENERATE A LISTING IN A )  
NETWORK BASED COMMERCE )  
SYSTEM )

**NOTIFICATION OF  
IDENTIFICATION OF PRIOR  
ART IN LATE PROTEST  
UNDER 37 C.F.R. § 1.291(a)**

The protest filed February 22, 2005 under 37 C.F.R. § 1.291(a) was filed after the July 1, 2004, publication date of the application.

Because the protest was filed after publication of the application it is untimely and it is not being entered in the application file. The original protest is enclosed with this letter and the duplicate copy submitted by the protestor is being discarded. (MPEP § 1901.06)

If appropriate, Applicant may wish to consider submitting prior art from the protest pursuant to 37 C.F.R. § 1.97 and 37 C.F.R. § 1.56 during the prosecution of the application.



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Enc: Protest (6 pages) and 3 references